

A regular meeting of the Michigan State Employees' Retirement System Board was held at the State Secondary Complex, General Office Building, First Floor, Conference Room A, Lansing, Michigan, on September 20, 2007. The following members, staff and observers participated:

Members Present: David Dekker, Employee Member
 Douglas Drake, Retiree Member
 George Elworth representing the Attorney General
 Calvin Frappier, Retiree Member
 Vernon Johnson, representing the State Treasurer
 Craig Murray, representing the Deputy Auditor General
 Harry Posner, Employee Member
 John Schoonmaker, representing the Commissioner of the
 Office of Financial and Insurance Services

Staff Present: Laurie Hill, Acting Executive Secretary
 Kathy Ciaramella, Recording Secretary

Others Present: Thomas Schimpf of the Attorney General's Office; Janet Ketchum, of the Retirement Coordinating Council; Kenneth Mangus, of the Center for Forensic Psychiatry; Kathy Tober, and Tim McCormick, of the Office of Retirement Services; and visitor Cara Frappier.

Call to Order

Chair Douglas Drake called the meeting to order at 1:35 p.m.

Excusing of Absent Members

George Elworth moved, Vernon Johnson supported, to excuse the absence of Daniel McLellan. The motion carried unanimously.

Approval of Agenda

David Dekker moved, Craig Murray supported, to approve the agenda as presented. The motion carried unanimously.

Approval of Minutes

Craig Murray moved, George Elworth supported, to approve the meeting minutes of August 9, 2007, as presented. The motion carried unanimously.

Disability Retirement Applications

Non-Duty Disability Retirement Applications

George Elworth moved, Harry Posner supported, to approve the non-duty disability applications 1 – 5, 7 – 11, as presented in the Supplemental Information to the Agenda, 7A, except applications 6 and 12. The motion carried unanimously.

Following discussion, Vernon Johnson moved, George Elworth supported, to approve application 6, as presented in the Supplemental Information to the Agenda, 7A. The motion carried unanimously.

Following discussion, David Dekker moved, George Elworth supported, to table application 12 allowing for staff to provide the Board additional information. The motion carried unanimously.

Consideration of Application for Good Cause

George Elworth moved, Craig Murray supported, to grant the applicant's request to extend the time limit for filing a disability retirement application, since the applicant presented sufficient evidence of extenuating circumstances, and to have the State Employees' Retirement System consider the application on the merits. The motion carried unanimously.

Calvin Frappier joined the meeting at this time.

Administrative Hearings

Proposal for Decision – Docket 2006-280

The Board considered the case materials. Craig Murray moved, David Dekker supported, to adopt as its own the recommendation of the Presiding Officer in the Proposal for Decision dated June 5, 2007, including the proposed Findings of Fact and Conclusions of Law, and deny non-duty disability retirement benefits to Petitioner. The motion carried unanimously.

Proposal for Decision – Docket 2007-1087-SERS

The Board considered the case materials. Calvin Frappier moved, Craig Murray supported, that the Board adopts as its own the recommendation of the Presiding Officer in the Proposal for Decision dated June 11, 2007, including the proposed Findings of Fact and Conclusions of Law except for the changes requested by Respondent, and deny Petitioner's request for non-duty disability retirement benefits based upon the administrative record, using the form of decision and order offered by Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2007-2419-SERS

The Board considered the case materials. David Dekker moved, Vernon Johnson supported, that the Board adopts as its own the recommendation of the Presiding Officer in the Proposal for Decision dated July 10, 2007, including the proposed Findings of Fact and Conclusions of Law except for the changes requested by Respondent and dismiss Petitioner's request for duty disability benefits with prejudice. The motion passed with one opposing vote.

Proposal for Decision – Docket 2006-AH068

The Board considered the case materials. Calvin Frappier moved, Vernon Johnson supported, that the Board rejects the recommendation of the Presiding Officer in the Proposal for Decision dated June 8, 2007, including the proposed Findings of Fact and Conclusions of Law, and deny duty and non-duty disability retirement benefits to Petitioner based upon Respondent's exceptions and the administrative record, using the form of decision and order offered by Respondent. The motion carried unanimously.

Proposal for Decision – Docket 2006-AH066

The Board considered the case materials. David Dekker moved, Calvin Frappier supported, that the Board adopts as its own the recommendation of the Presiding Officer in the Proposal for Decision dated June 12, 2007, including the proposed Findings of Fact and Conclusions of Law, and deny Petitioner's request for duty disability retirement benefits. The motion carried unanimously.

Proposal for Decision – Docket 2007-AH088

The Board considered the case materials. David Dekker moved, Craig Murray supported, that the Board adopts as its own the recommendation of the Presiding Officer in the Proposal for Decision dated July 17, 2007, including the proposed Findings of Fact and Conclusions of Law, and deny Petitioner's claim for retroactive retirement benefits. The motion carried unanimously.

Proposal for Decision – Docket 2006-137

The Board considered the case materials. Vernon Johnson moved, David Dekker supported, that the Board adopts as its own the recommendation of the Presiding Officer in the Proposal for Decision dated June 22, 2007, including the proposed Findings of Fact and Conclusion of Law, and grant duty disability retirement benefits to Petitioner. The motion carried with one opposing vote.

Unfinished Business

Proposal for Decision – Docket 2005 – AH891

The Board postponed action on the above-mentioned docket at the May 2007 meeting. David Dekker moved, George Elworth supported, that the matter be removed from the table for procedural reasons and discussion. The motion carried unanimously.

The Board considered the case materials. Calvin Frappier moved, Vernon Johnson supported, that the Board approve the proposed settlement agreement and authorize the Board Chairman to execute the order approving the settlement.

Following discussion, Calvin Frappier amended his motion and Vernon Johnson supported, that the Board approve the proposed settlement as a complete resolution and release of all claims regarding the overpayments Petitioner received from the State Employees' Retirement System from May 1997 through May 2004 and authorize the Board Chairperson to execute the order approving the settlement terms. The motion carried unanimously.

Legislative Report

The current report was included in the agenda packet.

Board Comment

Craig Murray thanked the Retirement System and the chair for negotiating a reasonable, well thought-out resolution to the Unfinished Business case.

Chairperson Douglas Drake spoke about the early out proposal.

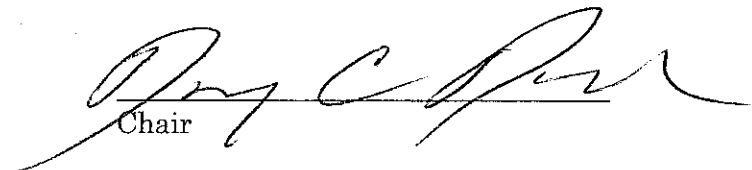
Public Comment

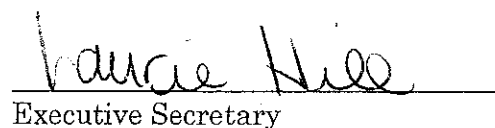
The Board received comments from Kenneth Mangus regarding Retirement at age 55 while working in a covered position. Chair Douglas Drake asked staff to research this situation and brief the Board.

Adjournment

Vernon Johnson moved, Craig Murray supported, to adjourn the meeting at 2:15 p.m. The motion carried unanimously.

OFFICIAL MINUTES


Chair


Executive Secretary